



**THE CRUMBLING EDIFICE-EXPERIENCES AND THOUGHTS OF A POLICE OFFICER (2003).** By V.P. Kapur. Rupa & Co., 7/16, Ansari Road, Darya Ganj, New Delhi Pp. xx+ 468, Price Rs. 795/-.

THE AUTHOR of the book is retired Director General of Police of Uttar Pradesh, the most populous and politically sensitive state of India. The title of the book: "The Crumbling Edifice" is meant to signify the progressive deterioration in the functioning of the law enforcement agencies and the criminal justice system.

The work in essence is a critique on the administration of criminal justice. It is to be stated that the administration of justice is one of the essential functions of the state. The effective administration of criminal justice is vital for the maintenance of order in the society that ensures economic progress so essential for the country. Manu has said:

दण्डः शास्ति प्रजाः सर्वा दण्ड एवाभिरक्षति ।

दण्डः सुप्तेषु जागर्ति दण्ड धर्म विदुर्बुधाः ।।

[The punishment governs the subjects, punishment protects all, punishment keeps awake, when all sleep; wise-men call punishment as dharma (duty). (Manu VII 18)]

The punishment of offenders through the process of law is one of the foremost functions of the state. Non-performance of this function effectively and meaningfully may lead to lawlessness. The author has highlighted the failure of the criminal justice system to bring the offenders (particularly those politically connected and the resourceful ones) to book and the long pendency of cases, thereby eroding the faith of the common man in the efficacy of the system and, many a time, compelling them to look for succor outside the system.

The work exhaustively treats the subject. The book has sixteen chapters, an epilogue and two annexures. Contents of the chapters have been very exhaustively listed in the table of 'Contents'. Epilogue presents a comprehensive analysis of the causes, which tend to make ineffective the criminal justice system and also the suggestions made by the author to reform it.

The book very elaborately brings out the growing nexus of the notorious outlaws, unscrupulous politicians and corrupt officers. The author has boldly given instances of criminalization of politics, politicization of services and stranglehold of the politicians over the functioning of the police and attempts to subvert the system including



the electoral process. Besides, the author has drawn attention to the lacunae in laws and procedure, lack of co-ordination between the prosecutors and the police and failure to enforce accountability on the part of the different wings as the main causes of nullification of criminal justice system.

The social milieu, that is, the general atmosphere, disregard for law and rampant corruption are also contributory factors. Shortcomings in the judicial system are also an important factor

The author states that unless comprehensive reforms are made in functioning of the police, prosecutors and the judiciary, the laws and policy system the criminal justice system may collapse.

Same perception has been voiced by a great jurist and Attorney General of India Soli Sorabjee while delivering a talk on 'Fundamental Rights in the Indian Constitution: Rhetoric or Reality' on 11<sup>th</sup> June in Delhi. He said that the criminal justice system in India is on the verge of collapse, owing to an inordinate delay in getting a judicial verdict and many a potential litigant seem to take recourse to a parallel mafia dominated system of 'justice' that has sprung up in metros such as Mumbai.<sup>1</sup>

The author has made wide-ranging suggestions for reform of the criminal justice system. Comprehensive reform in the police system is needed. The man-power of the police, the lacunae and deficiencies in the recruitment and training of the police officers, the dilemmas which they face in the field due to inherent weaknesses in the system and the malpractices in which some of them indulge have been brought out in the book.

The main thrust of the reforms is to treat the police as agents of law, make the investigating agency efficient and dedicated, make the police, in general, sensitive, responsive, effective and accountable; ensure expeditious disposal of criminal cases; make the prosecutors and the members of the judiciary accountable for their acts and to simplify and modify laws and procedures so as to ensure not only justice to the accused, but also to the victims of crime, the well-being of the general society and the safety, security of the nation.

On the part of the police officers, honesty, integrity and sincerity is needed and there should be a spirit of developing national will and firm determination to meet the challenges thrown (particularly by the anti-national elements) to criminal justice system.

The author emphasizes that while the black sheep in the police should not be spared, the honest and dedicated officers need to be protected from harassment and victimization. "It is becoming increasingly

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1. *The Hindu*, June 13, 2003 at 11.



more difficult for the ever-diminishing number of honest and dedicated officers to perform their duties fairly in the face of the ever increasing stranglehold of the politicians".<sup>2</sup>

In addition to his personal experience in the field, the author has collected his material from a wide range of sources detailed in the bibliography. The authenticity of the suggestions for reforms is enhanced because these are based not only on the vast and varied personal experience of the author during his 34 years of service in the I.P.S. (particularly posting as Chief of Police in 6 important and sensitive districts of U.P. and Head of the State Police for over 5 years in Manipur and U.P.), but also on the analysis of the report of the National Police Commission (1977-80), Law Commission of India, judgments of Supreme Court of India and writings of the eminent jurists.

The book is readable, interesting, absorbing, enlightening and educative. Acronyms, bibliography and sources and index appended in the book will facilitate the reading and will help in conducting further research on the subject.

The book deserves to be read by all those who are interested in the study of the subject-the bar, the bench, policemen, administrators, politicians, legislators, sociologists and social workers.

It is hoped that the book will find a respectable place among the few words penned by bureaucrats in high positions narrating their experiences candidly and making valuable suggestions for the reform of the organization/agency/institutions to which they belonged. It is further hoped that the work will stimulate and goad into action the concerned authorities to take necessary steps for repairing the crumbling edifice of criminal justice system before it becomes irreparable.

*B.N. Mani\**

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2. V.P. Kapur, *The Crumbling Edifice - Experiences and Thoughts of a Police Officer* 353 (2003)

\* Additional Legal Advisor, Govt. of India (Retd.).